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16 *Local Counsel*

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

20 IN RE JUNIPER NETWORKS, INC.  
21 SECURITIES LITIGATION

22 This Document Relates to:  
23 All Actions

24 THE NEW YORK CITY EMPLOYEES'  
25 RETIREMENT SYSTEMS, *et al.*,

26 Plaintiffs,

27 v.

28 LISA C. BERRY,

Defendant.

No. C 06-04327-JW

**STIPULATION AND [PROPOSED] ORDER  
ENLARGING LEAD PLAINTIFF'S TIME TO  
AMEND THE BERRY COMPLAINT AND  
SCHEDULING CASE MANAGEMENT  
CONFERENCE FOUND AS MOOT.**

BEFORE: Hon. James Ware

No. C08-0246-JW

BEFORE: Hon. James Ware

1 This Stipulation is entered into by and among Lead Plaintiff the New York City Pension  
 2 Funds, defendant Lisa C. Berry, defendants Juniper Networks, Inc., Scott Kriens, Pradeep  
 3 Sindhu, Marcel Gani, Robert M. Calderoni, Kenneth Goldman, William R. Hearst III, Stratton  
 4 Slavos, Vinod Khosla, Kenneth Levy, and William R. Stensrud (the "Juniper Defendants") and  
 5 defendant Ernst & Young, by and through their respective attorneys of record.

6 WHEREAS, on January 14, 2008, Lead Plaintiff the New York City Pension Funds filed  
 7 an action captioned *The New York City Employees, Retirement Systems, et al., v. Lisa C. Berry*,  
 8 No. C08-0246-JW (the "Berry Action"), as a related case to the pending class actions under the  
 9 caption *In re Juniper Networks, Inc. Securities Litigation*, Lead Case No. C-06-04327-JW (the  
 10 "Juniper Action");

11 WHEREAS, by Order dated October 1, 2008, the Court denied the Juniper Defendants'  
 12 Motion to consolidate the Berry Action with the Juniper Action with leave to renew pending  
 13 resolution of the Motion to Dismiss in the Berry Action;

14 WHEREAS, by Order dated May 15, 2009, the Court (1) denied Ms. Berry's motion to  
 15 dismiss Lead Plaintiff's claims under sections 10(b) and 20(a) of the Exchange Act and SEC  
 16 Rule 10b-5; (2) gave Lead Plaintiff the option of filing, on or before June 5, 2009, an amended  
 17 complaint in the Berry Action that would "specify in greater detail the nature and extent of  
 18 Defendant's purported substantial participation" with respect to certain alleged misstatements in  
 19 the Berry Complaint; and (3) directed Lead Plaintiff and Berry to file a Joint Case Management  
 20 Statement on or before June 5, 2009, and appear for a Case Management Conference on June 15,  
 21 2009;

22 WHEREAS, counsel for Lead Plaintiff has conferred with counsel for Defendants  
 23 regarding, *inter alia*, filing an omnibus Joint Case Management Statement, and all counsel agree  
 24 and request that the status conference scheduled for June 15, 2009 apply in both the Berry Action  
 25 and the Juniper Action;

26 WHEREAS, Lead Plaintiff and defendant Berry agree that Lead Plaintiff's time to amend  
 27 the Complaint in the Berry Action should be extended from June 5, 2009 to July 9, 2009; and

1 WHEREFORE, the parties stipulate, and request the Court to order, as follows:

2 1. Lead Plaintiff's time to amend the Complaint in the Berry Action is extended  
3 from June 5, 2009 to July 9, 2009.

4 2. The parties in the Berry and Juniper Actions shall file Joint Case Management  
5 Statements on or before June 5, 2009, that address, *inter alia*, the parties' positions with respect  
6 to consolidation of the Actions, class certification and discovery, and appear at the June 15, 2009  
7 Case Management Conference scheduled before Judge Ware.

8  
9 Respectfully Submitted,

10  
11 Dated: May 29, 2009

LOWEY DANNENBERG COHEN & HART, P.C.

12  
13 By: /s/ David C. Harrison

David C. Harrison

14 *Attorneys for Lead Plaintiffs*  
15

16 I, David C. Harrison, am the ECF user whose ID and password are being used to file this  
17 Stipulation and [Proposed] Order Consolidating Cases and Extending Lead Plaintiff's Time to  
18 Amend the Berry Complaint. In compliance with General Order 45, X.B., I hereby attest that  
Steven Guggenheim has concurred in this filing, and I have his manual signature on file.

19 Dated: May 29, 2009

WILSON SONSINI GOODRICH & ROSATI

20 By: /s/

21 650 Page Mill Road  
22 Palo Alto, CA 94304-1050  
23 Telephone: (650) 493-9300  
24 Facsimile: (650) 565-5100

*Counsel for the Juniper Defendants*

25 I, David C. Harrison, am the ECF user whose ID and password are being used to file this  
26 Stipulation and [Proposed] Order Consolidating Cases and Extending Lead Plaintiff's Time to  
27 Amend the Berry Complaint. In compliance with General Order 45, X.B., I hereby attest that  
David Friedman has concurred in this filing, and I have his manual signature on file.

1  
2  
3 Dated: May 29, 2009

LATHAM & WATKINS

4  
5 By: \_\_\_\_\_/s/

6 505 Montgomery Street, Suite 2000  
7 San Francisco, CA 94111-6538  
8 Telephone: 415-391-0600  
9 Facsimile: 415-395-8095

*Counsel for Defendant Ernst & Young*

10 I, David C. Harrison, am the ECF user whose ID and password are being used to file this  
11 Stipulation and [Proposed] Order Consolidating Cases and Extending Lead Plaintiff's Time to  
12 Amend the Berry Complaint. In compliance with General Order 45, X.B., I hereby attest that  
Nancy Harris has concurred in this filing, and I have her manual signature on file.

13 Dated: May 29, 2009

ORRICK HERRINGTON & SUTCLIFFE LLP

14  
15 By: \_\_\_\_\_/s/

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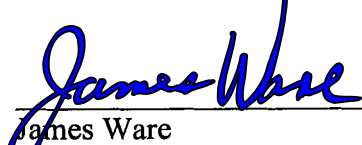
*Counsel for Defendant Lisa C. Berry*

21 \* \* \*

22 **ORDER**

23 The stipulation is found as MOOT. Plaintiff has filed an Amended Complaint in the Berry  
24 Action on June 5, 2009. The Court declines to set a case management conference on June  
15, 2009 in the Juniper Action as this time.

25 DATED: June 11, 2009

26   
James Ware  
United States District Judge